

Docket No.  
TWI-13100

## Declaration For Patent Application

### English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**SMALL SPOT ELLIPSOMETER**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on February 8, 2001 as United States Application No. or PCT International Application Number 09/779,761 and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<input type="checkbox"/>
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<input type="checkbox"/>
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<input type="checkbox"/>

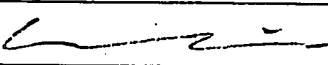
I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor <b>Lanhua Wei</b>	
Sole or first inventor's signature 	Date <b>2/23/01</b>
Residence <b>34309 Eucalyptus Terrace, Fremont, California 94555</b>	
Citizenship <b>People's Republic of China</b>	
Post Office Address <b>34309 Eucalyptus Terrace, Fremont, California 94555</b>	

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of third inventor, if any	
Third inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Lanhua Wei

Appln. No.: 09/779,761

Filed: February 8, 2001

For: SMALL SPOT ELLIPSOMETER

Group Art: 2877

Examiner:

POWER OF ATTORNEY BY ASSIGNEE

Commissioner for Patents  
Washington, D.C. 20231

Sir:

THERMA-WAVE, INC., assignee of the entire right title and interest in the above-identified application by assignment dated February 23, 2001, which assignment was recorded in the Patent and Trademark Office on April 16, 2001, at Reel 11711, frame 841, hereby appoints the members of the firm of STALLMAN & POLLOCK LLP, a firm composed of:

Michael A. Stallman	29,444
Michael J. Pollock	29,098
Kathleen A. Frost	37,326
Brian J. Keating	39,520

as its attorneys with full power of substitution to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith.

Please direct all correspondence regarding this application to the following:

STALLMAN & POLLOCK LLP  
Attn: Michael A. Stallman  
121 Spear Street, Suite 290  
San Francisco, CA 94105

Telephone: (415) 512-1312  
Facsimile: (415) 512-1362

Dated: 7-13-01

THERMA-WAVE, INC.

By:

Name: Martin Schwartz

Title: Chief Executive Officer



TWJ-13100

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 05, 2001

MICHAEL A. STALLMAN  
121 SPEAR STREET, SUITE 290  
SAN FRANCISCO, CA 94105

PTAS RECEIVED



\*101688738A\*

JUL 10 2001

STALLMAN & POLLOCK LLP

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/16/2001

REEL/FRAME: 011711/0841  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
WEI, LANHUA

DOC DATE: 02/23/2001

ASSIGNEE:  
THERMA-WAVE, INC.  
1250 RELIANCE WAY  
1250 RELIANCE WAY  
FREMONT, CALIFORNIA 94539

SERIAL NUMBER: 09779761  
PATENT NUMBER:                     

FILING DATE: 02/08/2001  
ISSUE DATE:

KIMBERLY WHITE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

04-26-2001

PATENTS ONLY



101688738

Tab settings

4.16.01

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Lanhua Wei

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Date: February 23, 2001

2. Name and address of receiving party(ies):

Name: THERMA-WAVE, INC.

Internal Address: 1250 Reliance Way

Street Address: 1250 Reliance Way

City: Fremont State: CA ZIP: 94539

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

B. Patent No.(s)

09/779,761

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Michael A. Stallman

Internal Address: Suite 290

Street Address: 121 Spear Street

City: San Francisco State: CA ZIP: 94105

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

50-1703

04/25/2001 TDIRZ1 00000135 9775761

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael A. Stallman (Reg. No. 29,444)

Name of Person Signing

Signature

April 12, 2001

Date

Total number of pages including cover sheet, attachments, and document:

3

**Assignment of Rights in Invention  
(Sole inventor; single assignee)**

Docket No.  
**TWI-13100**

Inventor	Residence of Inventor
Lanhua Wei	34309 Eucalyptus Terrace, Fremont, California 94555
Assignee	Residence or Principal Place of Business of Assignee
THERMA-WAVE, INC.	1250 Reliance Way, Fremont, California 94539, incorporated in the State of Delaware

*Whereas, I, the above-identified Inventor, have invented certain new and useful improvements in:*  
**SMALL SPOT ELLIPSOMETER**

U.S. Application No: 09/779,761

Filed: February 8, 2001

Application (Declaration/Oath) Execution Date: February 23, 2001

*(hereinafter referred to as "Invention") for which I am making application for Letters Patent in the United States of America;*

*And, whereas I desire to assign a 100% undivided interest in said Invention, said application disclosing the Invention and any Letters Patent which may be granted therefor to the above-identified Assignee, and whereas said Assignee is desirous of acquiring the entire right, title and interest in the same;*

Now, this indenture witnesseth, that for the sum of one dollars (\$1.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged;

*I hereby assign, sell and transfer a 100% undivided interest in said invention, said application, including any divisions, continuations, and continuations-in-part thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted for said Invention, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to me with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, unto said Assignee;*

*And I hereby authorize and request the Commissioner of Patents and Trademarks to issue said United States Letters Patent to said Assignee, as assignee of the whole right, title and interest thereto;*

*And I further agree to execute all necessary and lawful future documents, including assignments in favor of Assignee, or its designees as Assignee or its Assignees may from time-to-time present to me in order to perfect title in said Invention, modifications, and improvements in said Invention, applications and Letters Patent of the United States and countries foreign thereto;*

Assignment of Rights in Invention  
(Sole inventor; single assignee)

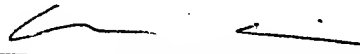
Docket No.  
TWI-13100

Inventor	Residence of Inventor
Lanhua Wei	34309 Eucalyptus Terrace, Fremont, California 94555
Assignee	Residence or Principal Place of Business of Assignee
THERMA-WAVE, INC.	1250 Reliance Way, Fremont, California 94539, incorporated in the State of Delaware

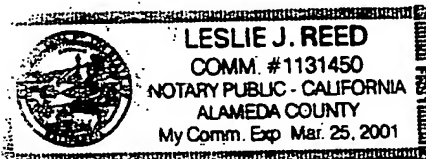
And I further agree to sign and properly execute such necessary and lawful papers for application for foreign patents, for filing divisions, continuations and continuations-in-part of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid Invention, as the Assignee thereof shall hereafter require and prepare at its own expense.

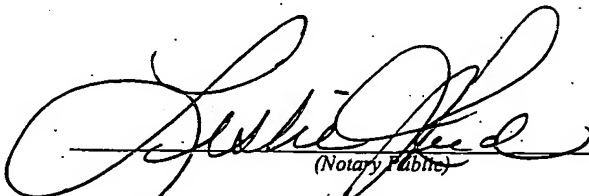
Executed this            day of 2/23/01, in the year  
at Fremont, CA

State of California  
County of Alameda

  
(Signature of Inventor)

Before me personally appeared Lanhua Wei  
who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to  
execute the same this 23 day of February, in the year 2001



  
(Notary Public)